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## Policing and the surveillance of the marginal

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# **Policing and the Surveillance of the Marginal: Everyday Contexts of Social Control**

By Megan O'Neill and Bethan Loftus

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## **Abstract**

While the surveillance practices of the private security industry have become a central preoccupation of scholarship, the surveillance power of the state has been greatly enhanced through multiple procedures of information gathering to support practices of control and management. In this article, we draw upon two different research projects to examine the surveillance work of the police and other public sector groups working in partnership, as well as the activities of police officers operating covertly. In particular, we expose the often unintended, but nevertheless invasive and comprehensive power of state agencies to gather details of individuals in the residual working class, but to do so within mundane and innocuous policing practices. Our central argument is that these developments have occurred alongside a displacement of social policy through crime control, and represent both an acceleration and intensification of existing state approaches to the surveillance of the problematic individual. This extensive project of targeted surveillance, we contend, also calls into question current claims that the state is moving towards a system of managing deviant populations.

**Key words:** new penology, surveillance, policing, 'underclass', antisocial behaviour

## **Introduction**

The growing influence of the private sector in processes of surveillance and security has been heavily debated in recent years. Not least among such discussion is the work of Ian Loader and colleagues, and their normative discussions about the role of the state in the regulation and envisaged restriction of the private sector. Loader (1997, see also Loader and Walker 2007) in particular has argued that liberal democracies have a responsibility to protect the security of their citizens, and that to assume the private sector can sufficiently regulate itself is misguided. He maintains that it is only the state which can ensure that those with additional resources do not acquire further opportunities to superior security at the expense of the security of others. This is because the market itself, Loader argues, does not operate within a moral framework and would fail to place egalitarianism at its heart. This argument has been further developed in research on the consumption of private security, in which a case is made for new state involvement within this process (see Goold et al 2010). In this latter paper, Goold et al find that private organisations tend to buy and use security systems on behalf of affluent individuals, thereby preventing people from making informed choices about whether or not to engage in such security measures.

These are important discussions to have and point to a very real problem with the private security market. Yet focusing too narrowly on the private sector risks obscuring the continual expansion of state surveillance. While much time has been spent debating the growth of the private security industry and the security consumption of wealthy individuals and organisations, it is the poorest and most marginalised citizens in society who are becoming ever more policed and problematised by the very state which Loader and others present as their best protector. Moreover, this targeting is occurring in an age where many scholars claim that the state is moving towards a system of managing deviant populations (Simon and Feeley 2003, Feeley and Simon 1992, Young 1999; Garland 2001). In some contrast, our research suggests that the state is in fact policing the lives of specific troublesome individuals, through the use of pervasive and intimate surveillance methods. Monitoring and control of the problematic person - rather than problematic populations - remains a cornerstone of British criminal justice, but is happening with more sophisticated and innocuous means than has previously been the case.

Surveillance systems are, of course, adept at monitoring both large groups as well as individuals (Lyon 2001; Wakefield 2003). While we agree that the private sector is well placed to monitor large populations in a relatively distant and neutral way, it is important to recognise that that the

state has also developed and implemented several mechanisms through which specific ‘problem’ people can be watched, and by which a large amount of data is subsequently gathered and shared across a variety of public sector agencies and policing institutions (Schinkel 2011). In the UK, the power of the state to assemble and display, through such legislation as the Crime and Disorder Act 1998 and the Regulation of Investigatory Powers Act 2000, far outstrips the threat posed by the surveillance power of the private sector. The data that is gathered and shared is personalised, detailed and, in some cases, extremely intrusive. Furthermore, individuals are unable to ‘opt out’ of these surveillance systems. It is the very banality of this data gathering and sharing which is most unsettling as it conceals - perhaps even from the practitioners themselves - the extent of the private information being collected.

In this article we draw upon fieldwork from two distinct research projects to examine the surveillance work of the police and other public sector groups working in partnership, as well as police officers operating covertly. While we agree with Loader that the state should be prominently involved in the security of its citizens, our concern is both with the *degree* to which this surveillance power has developed, and its *focus* on a very particular segment of the population – the so called ‘underclass’. Much of the activity undertaken in the name of partnership policing has a seemingly benevolent intention, while the methods used in both partnership and covert policing tend towards the mundane and routine, rather than the spectacular. Nevertheless, the ultimate (and occasionally unintended) outcome of these surveillance processes is that the least powerful members of society are falling into a widening net of social control, subject to an intensifying gaze of the state, but with an increasingly receding exit. On the one hand, the police targeting of the poor is nothing new. However, our research reveals both an acceleration and intensification of existing state approaches to the surveillance of seemingly problematic individuals. What we find is that the enduring ambitions of state policing have been greatly enhanced by the dramatic expansion of technologies and capabilities for surveillance, as well as novel forms of collaboration and information sharing (Manning 2008). Moreover, these developments have occurred alongside a displacement of social policy through crime control (Reiner 2007), suggesting that the police have both the resources and government support to manage and further criminalise those excluded from the social and economic mainstream. The operational practices effectively define sections of the poor as legitimate terrain for the exercise of state power, thereby reproducing the symbolic domination and exclusion of this group (Manning 1994). Indeed, such people may be regarded as ‘easy pickings’, lacking the resources necessary to guard themselves against the hegemony and symbolic domination to which they are

subjected. By the same token, the relative invisibility with which these individuals encounter state monitoring means that their vulnerability often evades public - and academic - scrutiny.

### **The Policing and Surveillance of the Problem Individual**

Suggesting that the police disproportionately target the poor is hardly novel. The working classes formed the targets of police thinking and practice throughout the modern era (Storch 1975; Brogden 1991) and continue to do so (Manning 1977; Choongh 1998; Loftus 2009). These are the people who have been described by scholars as 'police property' (Lee 1981) and, by the police themselves, as 'assholes' (Van Maanen 1978) and 'pukes' (Ericson 1982). There have, however, been important developments within the world of policing which invites a reappraisal of this traditional relationship. The changes which have occurred in the political economy of Western capitalism have profound implications for the policing of what has been described as the 'underclass' (Crowther 2000: 155), those people left behind in the increasingly aggressive market economy and who subsequently experience chronic insecurity. Along with a dramatic expansion of technologies to support practices of monitoring and control (Hoogenboom 1998; Aas et al 2009), there have also been deeper shifts in ways of thinking about and responding to crime and suspected criminals. Zedner (2009) succinctly describes the 'pre-crime' world as one in which surveillance technologies, data collection and the prediction of future threats are promulgated as the answer to keeping the irredeemably dangerous at bay. The import of risk rationale and surveillance capabilities are a source of ongoing change in policing, increasingly underpinning the turn towards proactive methods of investigation and detailed data sharing across public sector agencies (Maguire 2000; Schinkel 2011). External pressures to manage crime efficiently mean that the police are also under pressure to have zero tolerance of the socially marginal (Reiner 2007).

New legislation and innovative ways of defining crime have exacerbated the focus on the poor. For instance, it is well accepted that since the advent of the Crime and Disorder Act 1998, crime has become increasingly defined in narrow, individualistic terms (Burney 2005; Squires 2006). The Act formally introduced the concept of 'antisocial behaviour' which has since been pivotal to the criminalisation of behaviour not previously considered to be criminal. By the same token, discourse about 'problem families' and the 'end of respect' has undoubtedly criminalised and stigmatised sections of the working class (McCarthy 2011). As Brown (2004) observes, the 'creation' of antisocial behaviour has brought in a new domain of professional power and knowledge to policing, opening up private lives to surveillance. A new constellation of social

control professionals now work in close collaboration with one another with a view to discovering and disrupting antisocial behaviour. The cornerstone of these alliances entails information-sharing networks for operating early intervention initiatives and various diversionary programmes (O'Neill and McCarthy 2012). Of particular note is that antisocial behaviour is taking on the practices and discourses of crime control, including the use of specialist undercover teams, and in this way, is linked directly to transformations occurring in state conceptions of crime and deviance (Crawford 2009; Ramsey 2012).

Yet, while legislation and policy has developed to address behaviour in the 'underclass', an influential body of literature has emerged presenting an institutionalised movement away from reforming individuals to the management and control of generalised offender populations (Christie 2000, Brown and Pratt 2000, Garland 2001). Feeley and Simon (1992) have described this developing pattern as 'the new penology'. In this vision, the rehabilitative and welfare ideal of the penal system of the past (epitomised by the Edwardian era in England and Progressive era in the U.S.) was replaced in the late 20<sup>th</sup> century by a bureaucratic concern for risk management and the efficient control of suspect populations. In this way, the focus on the criminal was replaced by criminal populations. Simon and Feeley (2003) acknowledge that elements of the rehabilitative model remain, as well as efforts aimed at deterrence. However, while the language of the new penology has not taken hold in public discourse, they argue that the criminal justice system clearly operates in a managerialist way. In their view, retribution or reform of individuals are ways of governing *through* crime, while the new penology is the governing *of* crime. The police and their partners are an important part of these two processes.

We agree with Feeley and Simon that aspects of the new penology are evident in England and Wales' criminal justice systems. Our own work illustrates the ongoing priorities to direct public sector resources in more efficient and coordinated ways (see also O'Neill and McCarthy 2012). However, departing from Feeley and Simon, we argue that the *individual* has remained an additional and primary focus for the management of crime and criminality. The surveillance systems at the disposal of the state have the ability to amass considerable information on the public, knowledge that is increasingly used to target specific, known individuals who, for the most part, belong to the 'underclass'. With public sector partnership arrangements often focused on the antisocial (rather than the criminal) at the local level, agencies find that their ability to share hoards of personal information about specific people in the community is greatly eased. Likewise, while covert policing methods are intended to be directed against the most serious

threats and offenders - such as terrorism and major organised crime – officers increasingly target lower-level street crimes as well, such as drug taking and vehicle crime.

These developments suggest that while the state maintains a strategic concern with efficiency and resource saving across its criminal justice departments, in practice its power is being applied to the problematic individual. Feeley and Simon would argue that the individual is merely a site of governance, evident through token cases of rehabilitation or public retribution, and not a site of overall state control and management. Yet, our research suggests that by deploying enhanced technologies and policies of surveillance, the state is becoming more adept at finding, managing and controlling specific ‘problem’ people or families. Time and resources are thus used in microscopic systems of control and management, distinct from the public discourse of retribution. They rarely occupy the public imagination, and are not at the top of the political agenda. Instead, these methods operate quietly in the background, through covert, hidden forms of policing or seemingly innocuous partnership meetings. These features point to some worrying aspects of the emerging state surveillance in that data gathering, sharing and cataloguing is happening on a regular basis, but in mundane ways and at detailed levels. In this sense, the potential for reviewing and holding to account state practices are diminished.<sup>1</sup>

### **Everyday Contexts of State Surveillance**

The discussion to follow is based on the findings from two distinct research projects, each of which was lead by one of the authors. While these projects have different foci in terms of the type of policing being studied, they nevertheless point to similar outcomes for those under the police gaze. The first project, undertaken by O’Neill, focussed primarily on partnership working between the police and other public sector organisations, as required by the Crime and Disorder Act (CDA) 1998. The aim was to ascertain whether or not partnership working had been embraced by the organisation and to examine the nature of relationships within and between partner agencies, with a view to enhancing understandings of contemporary policing culture. Twenty five officers were interviewed in depth, and ranged in rank from constable to Superintendent. The research was conducted with officers from four police forces in England,

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<sup>1</sup> It is important to note that while the continued state focus on the so called ‘underclass’ deepens the official control of them, there may be strategically justifiable reasons for these actions in some cases. Children at risk of harm from parental neglect, prolific burglars blighting a neighbourhood and the routine theft of small goods are issues on which the public may wish the authorities to act. In this sense, we are not arguing that the policing we describe here is problematic *per se*. Our concern is that the operational repercussions of these strategic priorities are being done in an entirely unreflective manner, leading to the storage of vast amounts of data on powerless individuals.

two of which cover largely urban areas and two of which include a large rural terrain. This research will be referred to as the 'Partnership Policing Project'.<sup>2</sup>

Loftus carried out the second research project which sought to examine how existing legislation designed to govern police surveillance - most notably, the Regulation of Investigatory Powers Act (RIPA) 2000 - has affected the routine and extraordinary surveillance activities of police forces. This research was also intended to produce the first comprehensive field account of covert policing. The fieldwork took place in what we shall call Summershire Police Service, one of the largest constabularies in England.<sup>3</sup> In addition to tracing the history and development of the RIPA 2000, the fieldwork comprised direct observation of officers who planned, authorised and carried out covert operations, as well as interviews with key actors in the field. This study will be referred to as the 'Covert Policing Project'.

Together, these projects demonstrate how the control and management of the problematic individual are operating in two different policing arenas: the relatively open partnership arrangements between various public sector agencies, and the principally closed and secretive arena of covert policing. In both of these settings, four organising themes are germane: (i) the *focus* of the data gathering and sharing is mainly on the socially and economically impoverished individual who has committed, or is suspected of committing, predominantly low-level offences or antisocial behaviour; (ii) the *purpose* of the data collection is largely to control these individuals in some way; by either gathering intelligence for a conviction, or to enable community-based controls, as well as to demonstrate agency performance achievements; (iii) the *process* by which the data is gathered and shared is mundane, unseen and bureaucratic. The extent of data gathering is also not questioned by those engaged in it; and (iv) the *content* of the data ranges from personal details to elements of personal behaviour and habits. Collectively, these four themes present the 'who, why, how and what' of the surveillance processes we studied. They provide a picture of how an extensive project of surveillance and social control combines to monitor, catalogue and manage marginalised individuals. While the collection and content of the data are considered unremarkable by public sector practitioners, they can have serious repercussions for the individual concerned. This will be explored in the conclusion.

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<sup>2</sup> Responses from interviews are indicated by a number (from 1 to 7) followed by a letter from A to D (e.g.: 5A). Each letter refers to one of the four police forces who participated in the research and each number to one of the officers interviewed in that force.

<sup>3</sup> The names of the police organisation, covert units and officers discussed in this article have all been changed to preserve anonymity.



*(i) The operational focus on the marginal*

Although not exclusively, both research projects found that the police officers and other public sector agents concentrated much of their efforts on a similar group of people: the residuum at the base of the social and economic hierarchy. In the case of the Partnership Policing Project, this work was primarily concerned with those engaged in antisocial behaviour, such as nuisance neighbours or young people, or people with social problems, such as drug addiction and long-term unemployment. In the case of the Covert Policing Project, police attention was mainly oriented towards those suspected of committing crime, some of which could be regarded as rather low-level and petty. Fieldwork with officers did capture a commitment to concentrate proactively on major threats, such as serious organised crime and a hardcore of persistent offenders, but it was striking that covert operations were also directed against minor offences, such as drug taking, bicycle theft, handling stolen goods and theft from vehicles. Moreover, the targets of covert operations carried out by the Street Enforcement Team were principally unemployed men and teenagers who were previously 'known' to the police. The following fieldnote extract illustrates this ideological and practical concern with the petty offences of lower level street criminals, in this case a 16-year old suspected of handling stolen goods from his shoplifting expeditions:

The team had been asked to do some ground work on the subject. In particular, they wanted to ascertain how he left his house – did he walk, cycle, or get picked up in a vehicle by an acquaintance? Detailed checks would also be carried out on anyone associated with the subject. [...] A car fitted with a concealed surveillance camera was parked outside the subject's house to capture the daily movements of the subject. [...] The information gleaned from the operation would feed into the Force Intelligence System and would be used to inform the next phase of the surveillance operation. (Loftus - Fieldnotes 2010).

A child who shoplifts and sells on the goods is hardly on the same level as terrorists, yet this policing team is employing the same methods of surveillance and data collection to track his movements. As the next extract shows, their methods were also used to entrap a petty thief by using a 'trap room' in a house designed to lure potential thieves into committing an offence. Alluring items such as jewellery and a laptop were deliberately left near an ajar window. Even though the perpetrators only stole a magazine, their images were captured and stored, and they had no idea they had been rumbled as part of a covert operation:

The footage retrieved from the covert camera relayed the following scene: At 11.32pm the curtain to the room begins to flap and the window opens more fully. A young white man in his early twenties pokes his head into the room and has a look around. The officers immediately recognised him as a local drug addict and petty thief. In fact, they have a photograph of him on the office wall and start relaying an impressive

amount of detail about his past crimes. He then leaves, but at 2.48am returns with somebody else. The first man reaches into the window and picks up the corner of the laptop, but drops it. He instead takes the magazine that was deliberately left by officers. With that, the men close the window and go off into the night. The officers review the footage again, and are thrilled they have a 'hit'. [...] Because only the magazine was taken, there was some question as to whether they should pursue this or look for the bigger catch. Rob suspects that in the context of police targets they should act now; as he argues, 'burglary is burglary' (Loftus - Fieldnotes 2011).

Such a tactic raises several questions about entrapment (see Marx 1988) and whether or not the police should be in the business of tempting the weak - in this case a heroin addict. It was also a very common practice to park expensive vehicles on deprived housing estates in the hope that they - or expensive items within the car, such as satellite navigation systems - would get stolen. In such strategies, a clear demographic emerged in terms of who this team of operatives viewed as legitimate targets.

While the work of the police and their partner agencies does not always concern suspected or convicted criminals, many of the interviews conducted in the Partnership Policing Project highlighted work conducted in low-income areas, housing estates and with problematic young people, their parents or ex-offenders. The following is a discussion about the format of multi-agency case conferences:

[S]pecific people [are] brought to the case conference for one reason or another [...] the son in that family was being arrested weekly, and it was a big concern to us, his behaviour had changed in school, his teacher could see that he had changed. I remember interviewing him myself and I thought what a nice lad, he was just teetering, but now because his dad was also a prolific offender and didn't like the thought of having the police at his door because he had stuff to hide, now he has gone the other way where the teacher had said, in his own words "it's as if he doesn't care anymore", and that's how it feels because after a certain point in the Autumn he just seemed to be running riot (interview 4B, police constable).

In this example, we can see that a good deal of time and energy is being used by different agencies to track the movements and behaviour of one boy in a supposedly problem family in order to try to deflect him from further criminal activity. These efforts are also illustrative of McCarthy's (2011) discussion of state intervention in the family to prevent cycles of troublesome progeny. The following quote offered by a police sergeant likewise demonstrates both how the police, in collaboration with partner agencies, can address multiple elements of disorder in a single home, and the ways in which partnership working arrangements facilitates this:

If we were going to do a drugs job, and the house is incredibly dirty, drugs are positioned in the house where young children can get access to them [...] if we have got that sort of intelligence we will have, we will go and do the warrant, and just outside will be (the social housing provider) and someone from social services, so that when we go into the house, we can show them first hand what's going on [...] That

would not have happened in the past. Because of data protection and information sharing, we would not have allowed them to come to our briefings because we are talking about people who, we are talking about the criminal aspect of issues, of individuals, so now although we are still guarded on what we can disclose, we are much more open (interview 3A, Sergeant).

As these examples reveal, data sharing arrangements between the police and the other public sector agencies have enabled a great deal of personal information to be freely exchanged between them. This information primarily targets the socially and economically marginal and is used to address the behaviour of specific people and families in an intense and direct way, thereby resulting in the social control of these communities. Yet, while the ultimate outcome of these practices in partnership working and covert policing appear similar, their immediate purpose can differ.

### ***(ii) A purpose to control***

Although the manifest purpose for which the data concerned was being collected and/or shared differed slightly between the two projects (i.e. for prosecution purposes in covert policing and for general community safety goals in partnership policing), there was much overlap in the way in which the data was used to control the individual in some way. There was little evidence of any humanitarian thrust to this other than for young people in Partnership Policing study. As noted earlier, Simon and Feeley (2003) view the role the individual plays in ‘governance *through* crime’ as merely that of a tokenistic gesture of state welfare efforts, whereas in our respective projects, the individual was not only central to police practice, but also directly experienced their work in the context of control. For instance, while police officers and their partners from the other public sector organisations had good intentions and plans for action when it came to helping young people, this was certainly not the case in their interactions with the problem adult or ex-offender. The interviewee below discusses the three strands of the Prolific and Priority Offender Scheme (PPO), which operates nationally in a multi-agency capacity. The strands are ‘catch and convict’, ‘rehabilitate and resettle’, and ‘prevent and deter’:

You are dealing with people who at that point, maybe in their late 20s or early 30s, hopelessly addicted to heroin, or they’ve made the lifestyle choice that are going to be a criminal [...] First there’s an awful lot more interventions you could put in for a young person, there’s far more agencies involved, there’s far more funding being put towards it, than there are for the adult group. The adult group really doesn’t come round to a little bit of, prevent and deter drops off it a little bit, you go catch and convict them, rehabilitate and resettle, then you go back to catch and convict, and back to rehabilitate and resettle with the adult groups. With the young people you kind of prevent and deter to catch and convict (interview 3C, Sgt).

As this quote reveals, the purpose of partnerships is to try to 'save' the young people as much as possible, but to only control and manage those adults in their areas. Although the sergeant mentions 'rehabilitate' for the adult offenders, the description of the offenders and the cyclical nature of the process suggests this is a routine exercise that is not expected to bring any lasting benefit. 'No hope' was attached to this as there was for the projects aimed at young people. To rehabilitate ultimately meant finding the offender a job. As another constable explained, the 'prevent and deter' strand became renamed as a young offenders' group because no adults were ever referred to it. This supports a finding of McCarthy (2010) in relation to the police use of contractual injunctions; many problem adults could only be 'moderated' rather than 'modified'.

In contrast to partnership policing, the purpose of covert surveillance was manifestly driven by a crime control model, officers were meant to build as much evidence as possible to secure a conviction. The product gleaned from surveillance operations, often leads in court to incontrovertible evidence of illegal behaviour (Sharpe 2002), and this basic concern to gather evidence and secure a conviction was indeed captured during the fieldwork. However, a more opaque ambition also appeared to be at work. Covert operations did not regularly produce outcomes in the form of arrests, convictions, prevention of crime, retrieval of assets and so on. But they *always* yielded meticulous dossiers about the daily lives of subjects, as well as their associates who may have inadvertently become caught in the net of a covert investigation. As such, they greatly enhanced police knowledge of their various publics. This amassing of information about the local populace highlights one specific potential for harm resulting from being watched for a purpose. As Marx (1988) demonstrates, the personal data, collected and used for one purpose and to fulfil one function, often migrate to other ones that extend and intensify police surveillance and invasions of privacy beyond what was originally understood.

There could be an additional purpose to the extensive data collection and storage which we observed in our studies. Gathering, sharing, processing and storing extensive information on local individuals has the side benefit of demonstrating that the agents and organisations are fulfilling their obligations under the respective pieces of legislation and service level agreements. This could also explain why such detail is regularly amassed on individuals in addition to the purposes of control; bureaucratic systems demand it in case it is useful at a later date, as well as to show appropriate agency performance. In other words, not all the information collected on individuals will necessarily be used to control or manage them, but it *could be* in future. Moreover, the internal bureaucratic procedures serve to legitimise and justify agents' practices since it

confirms the normality of their data gathering. This tendency to create a paper trail and follow routine practice leads us to the next theme of our research, the seemingly mundane and innocuous nature of these intrusive and exceptional policing methods.

### *(iii) An unreflexive process*

Both projects revealed the mundane character of surveillance and data gathering/sharing systems. Routine meetings and informal ‘corridor’ conversations could create an exceptionally detailed picture of a person’s private life.

In Summershire Police, Ground Intelligence Officers (GIOs) were a crucial part of the intelligence gathering and sharing story. With a remit to broker intelligence between different units and hierarchies within the Force, GIOs often instigate covert operations and liaise with covert officers on the ground. They sought to know every nook and cranny of a subject’s life so that pertinent aspects of this information could be used as ground work to inform larger operations. While the following fieldnote describes the police interest in a person suspected of more serious offending, the extract illustrates the typical context in which the daily lives of subjects are discussed in an unreflexive and matter-of-fact manner:

I had been invited by the Inspector of Ground Intelligence to observe a meeting that was taking place between members of the Ground Intelligence Office and two officers from the Priority Crime Unit. The point of the meeting was to take stock of emerging intelligence relating to a person suspected of being involved in drug dealing. In particular, the Inspector wanted to identify any gaps in the intelligence profile and then devise a strategic plan to fill in those gaps. [...] The Intelligence Analyst hands around a ‘package’ of information on the individual subject. Within this is a large poster covered in pictorial diagrams and a photograph of the subject in the middle. He is a white male and his date of birth puts him at 38 years old. Using a range of colours, the poster shows all the links the subject has with different people, locations and vehicles. It resembles a huge spider’s web and I realise just how intricate intelligence gathering can be.

A history of the subject is provided; he grew up in foster care and several state institutions, and has a record of addiction and mental health problems. He has previous convictions for drugs offences, and is believed to have climbed up the next rung of the drug dealing ladder. The GIO then provides an up-to-date overview of the subject. Although he is not a key player in the drugs market, he is thought to be involved in receiving drugs from a major European city and selling them to local dealers who then work the street. The GIO knew everything about the subject - his lifestyle, his wife, his mistress, his children, where he shopped, the cars he drove, what bars he frequented - even his favourite alcoholic drink. Much of what the GIO said tallied up with the pictorial provided by the analyst. He spoke for over half an hour about what he knew of the subject and others in the room would occasionally interrupt to ask questions about aspects of the subject’s life. If the GIO did not know the answer, the analyst would make a note that this part of the intelligence picture needed further research. [...] Once the intelligence picture was more complete, a covert operation would be mounted against the subject in order to gather the evidence needed to secure a conviction. (Loftus - Fieldnotes 2010).

As we can see, the process by which the data is gathered and shared is mundane and bureaucratic; officers are discussing the life of a person - who has experienced much hardship - in a largely detached and professional manner. This may not be surprising given that, through their work, officers learn to depersonalise the people they frequently encounter (Loftus 2009). Nevertheless, and as the extract makes clear, these state agents do not appear to reflect on the extent to which they are contributing to an extensive project of surveillance.

In a similar vein, it was often noted in the Partnership Policing Project how communication between the various agencies was conducted through informal channels (for example, corridor conversations or text messages) or in formal multi-agency meetings:

We have got our own personal numbers in our own personal phones, and we chat, and if we are stuck at work and we want say a housing question, and I'll just text or ring X from housing and he'll give me any information I may need or vice versa, he'll ring me and say "I was doing a knock on job on such an estate last night, and I noticed such a body, has he been an issue for you because he was giving me cheek" (interview 4B, police constable).

Casual methods of sharing information are greatly enhanced when representatives of the various agencies are co-located, such as in a shared office space. These arrangements can be complex to establish, and costly, but many interviewees maintained that the benefits for building trust and sharing information, made it worthwhile:

So all the time it's trying to help each other really, highlight what information we have got, share it, it's absolutely crucial, sharing information, and I think that's been the best thing about it really is that, we are all based within the same building, we are all very close together, a few yards away, and it's a case of going and standing at the desk, rather than using telephones, I think it's a much better way, they come to me and I go to them, without any worries that they're not going to help us (interview 2C, police constable) .

This interviewee touches on the issue of trust, which the following sergeant explores in more detail. Importantly, because partnerships enable a large degree of trust to develop between the individuals, more sensitive information can be shared between them which would not have previously been the case. This trust is built up over time by repeatedly seeing the same individuals in weekly partnership meetings:

But certainly since the (CDA 1998) things have changed because you actually develop a personal relationship when you're sat around a table with somebody, so the information sharing is a heck of a lot easier, even if it could or does breach data protection, because you know and trust that personal relationship, and it's for nothing more than professional reasons but someone might say you've got to follow protocols for this, and it's like I need it now, and you'll get it because you've got that personal trust. Ten years ago you wouldn't have had that, I would have had to fill some forms in, get them signed

off, fax them to somebody, and wait until they decide when they're going to fill it in because of their other priorities to send it back three days later when it's like it's too late (interview 1A, Sergeant).

As we can see, this regular contact between the same agents and agencies reinforces the dispassionately bureaucratic and unreflexive nature of data collection and sharing. It becomes a normal and routine part of daily interaction, especially since the information itself seems on the surface to be trivial.

#### *(iv) The contents of personal lives*

Not only are the methods for sharing information routinised, but the information gathered seems to be rather innocuous and harmless. It can take a considerable amount of resources to amass this pedestrian information but which, once collated, presents a detailed and very personal account of that individual. For instance, officers interviewed for the Partnership Policing Project often discussed how working closely with other agencies was beneficial in terms of gathering intelligence on specific individuals. If there were missing details in files or conflicting information, these could often be corrected by a partner. Yet this also provides the agencies with all the crucial personal data needed to closely monitor, and even control, many aspects of a person's life. As one officer explained:

There's a Missing from Education co-ordinator and she contacted me last week to say "I am trying to find out this boy by this particular name, do you know him", and my reply was it's not ringing any bells, have you a date of birth, have you an address, she emailed me back [...] well I knew the address, but I knew the lad at the address had shared the same first name but the second name wasn't the same one. So I emailed her back and said [...] he must be using two different surnames, she replied "that's absolutely brilliant, thanks very much, can we do a home visit together" (interview 2D, police constable).

Agents clearly value the ability of the various partners to help one another build up a complete picture of the person they are discussing. Data gathering and sharing becomes automatic, unquestioned and unheeded in relation to the potential negative consequences for the individual concerned. This preoccupation with the personal contents of people's lives was also evident in the Covert Policing Project. The concept of 'lifestyling' is integral to the surveillance work of covert officers. This process aims to obtain basic information on subjects' everyday existence, including their movements, appearance, addresses, associates, socialisation habits and so on. The surveillance of individuals relies on meticulously collected and well maintained records, in both electronic and hard copy form. A growing, searchable databank which stores the personal information - and occasionally raw surveillance material - of those suspected of offending is one of the key mechanisms through which the state increases its power over those deemed unworthy

of trust. The methods used to gather these detailed portfolios of personal information are evidenced in the following fieldnote taken from Loftus's time with the Mobile Surveillance Team. In this case, officers mounted surveillance against a 25 year old man who was a suspected burglar. As the extract demonstrates, no element of the suspect's day is left out:

[...] We arrived in a busy, industrialised town and drove onto a large housing estate. After waiting for several hours, there was a burst of activity and the airwaves came alive. The officer at the Observation Station confirms that the subject has left the house. The description of the scene is meticulous – clothing, physical attributes (including a bruise on his right cheek) and the direction the subject was heading. [...] Heath is constantly updating the team. He describes how the subject is heading down alleyways and relays street names. Back in the car Roy is checking the map and making his way ahead of the location, without drawing attention to the car. Roy surmises that the subject is making his way towards the Doctors surgery. He tells me that the subject is a heroin addict and is probably going for his methadone prescription. On cue, Heath comes on to say that the target has gone into the Doctors surgery. [...] Twenty minutes later, the subject comes out and walks to a nearby pharmacy. Heath follows the subject into the pharmacy and confirms that the subject has swallowed his methadone. After the pharmacy, the target heads to a newsagents and a chip shop. The target is on the move again and whilst walking down a road appears to stand by a bus stop. At the same time, one of the other footmen says that the subject has begun to talk to another man. He gives a thorough description of this other man and tries to get as close as possible. After a moment or two, though, the subject moves on and begins to walk in the direction that he originally came from. [...] Heath and others confirm that the subject has returned to his address. A woman in a pink tracksuit then pulls up in a car. A meticulous description of her is aired to officers via the radio, and Roy tells me she is the girlfriend of the subject (Loftus - Fieldnotes 2010)

All of this information was recorded and stored as part of the dossier on this individual - and by extension, his girlfriend. Each element in isolation is insignificant. However, by collecting and compiling the minutiae of a person's daily habits, a detailed and personal profile emerges. As reflected in the extract, surveillance is highly focused, very much getting down to the details. It refers to identifiable persons, whose data are stored, transmitted, retrieved, compared, mined and traded. Both the covert policing teams and the agents of partnership policing have become adept at these techniques, enabled as they are with new legislation and improved technologies. Compiled in this way, even the most banal details can become problematic for the person concerned, in that multiple agents of the state have access to them and can easily fill in any gaps to create an ever growing picture of that person's life.

### **Conclusion: Outcomes of Mundane Policing**

This paper, collating the findings from two research projects, has presented an account of the everyday contexts of state-based surveillance of members of the residual working class in British society. Those people under state scrutiny tend to be engaged in antisocial behaviour and low-level offences. We have shown how, in sometimes radically different ways, the state can and does create a detailed picture of individuals' lives which is then shared between and within agents and



agencies. The information is often rather banal. When assembled together, however, the state has an enhanced ability to exert social control over ‘problem’ people using the resources of multiple agencies and their staff. Drawing on fieldnotes derived from an ethnographic study of covert policing and interviews with the police and their partners, we have provided an account of the, very often, ad hoc processes underlying systems enabling the continual expansion of the coercive policing powers of the state. Our works thus resonates with ideas of the normalisation of the exceptional (Pantazis and Pemberton 2009), in this case the building of the intrusive within mundane policing practices

Many of the methods of data collection and sharing were informal and seemingly innocuous. They operated quietly in the background - in corridor conversations, casual text messages, or between colleagues in meetings. Bureaucratic systems and processes would be routinely followed to demonstrate the compliance of each agency to the legally required processes. The state agents did not appear to reflect on the extent to which they were participating in an extensive project of surveillance and social control, nor were those people on the receiving end of such processes aware of their surveillance encounter. While this pervasive surveillance of the predominantly powerless may not have been openly acknowledged, its consequences for the life chances of those concerned could be potentially serious. It is no exaggeration to state that in real terms, these systems could mean the difference between going to prison or to a juvenile detention centre. More broadly, by focusing on the personal and behavioural qualities of the poor, the police routinely reproduce the symbolic domination of this group. Since the police have a key influence on who enters the criminal justice system (McConville et al 1991), they can easily thwart the opportunities a person has to access resources and improve his or her quality of life (Manning 1994). Officially assigning a person as risky or criminal can have wholly negative consequences for their employment, educational and housing prospects.<sup>4</sup> In this way, the surveillance systems we have documented serve to amplify existing social inequalities and reproduce regimes of control and the exclusion of the marginal.

Although these methods of data collection and sharing for low level offences or uncivil behaviour was not necessarily the intention of the CDA 1998 and RIPA 2000, they have been a very real outcome of their implementation. The overall effect has not been to rehabilitate offenders or to exert public retribution on miscreants as Simon and Feeley (2003) would suggest

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<sup>4</sup> Increasingly, having a criminal record can also influence mobility since those convicted of offences can experience the exclusionary character of border controls (Aas 2011).

is normally the case for individuals in ‘governance *through* crime’. Instead, there has been an intensification of the state gaze on the problem individual - but quietly, indirectly, and in a way which is valued for its ability to make the daily work of the various state agents easier. As a result, the individual has remained a focus of state control in a way not accounted for by the new penology of Simon and Feeley (2003), or of surveillance scholars (Lyon 2001; Deflem 2004). In other words, the individual is in fact a site for the ‘governing *of* crime’, in subtle, hidden and mundane ways, and thus out of sight of the public and political elite.

While the police mandate has always fallen on the poor, recent developments in technology and new legislation have enabled the surveillance capacity and data collection of the police and other agents to expand alarmingly. Such developments, we contend, present the state as the greater threat to personal security, and not the private sector as Loader and others have argued. Our work has clear echoes with the claims made by Wacquant (2009) concerning the propensity of states to become enthusiastically enslaved to market logics. By abandoning the safety nets of social security and constructing images of the deviant other, stigmatised people are left to fend for themselves. Yet in order to do so without causing social rupture, the state has multiplied its control and surveillance functions. In the British context, enabling pieces of legislation and slippery notions of antisocial and incivility have facilitated new invasions into the private lives of the already vulnerable (Brown 2004; Squires 2006). On a practical level, there remains a pressing need for state authorities to develop and implement methods to ensure that systems of reflexivity are introduced to increase awareness of the consequences of this information gathering and sharing. It would be particularly germane, for instance, to begin to explore how agents may appreciate the moral and ethical dimensions of their surveillance work.

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